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Liquidating Trust*

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:) Case No. 08-35653-KRH
CIRCUIT CITY STORES, INC.¹, et al.,)
Debtors.) Chapter 11
) (Jointly Administered)
)

**ORDER SUSTAINING LIQUIDATING TRUST'S OBJECTION TO CLAIMS OF
DIRLEY BALL ON THE GROUNDS THAT THE WORKERS' COMPENSATION
CLAIM IS RECOVERABLE ONLY FROM THE INSURANCE CARRIER; THE
SPECIAL CASH RETENTION CLAIM IS NOT ENTITLED TO PRIORITY AND THE
CONDITIONS NECESSARY TO ALLOWANCE OF THE SHORT TERM INCENTIVE
CLAIM AND LONG-TERM INCENTIVE CLAIM HAVE NOT BEEN MET**

THIS MATTER having come before the Court on the *Liquidating Trust's Omnibus Objection to Claims of Dirley Ball on the Grounds that the Workers' Compensation Claim is Recoverable Only From the Insurance Carrier; the Special Cash Retention Claim Is Not Entitled to Priority and the Conditions Necessary to Allowance of the Short Term Incentive Claim and Long-Term Incentive Claim Have Not Been Met* (the "Objection"),² which requested,

¹ The Debtors in these cases include: Circuit City Stores, Inc., Circuit City Stores West Coast, Inc., InterTAN, Inc., Ventoux International, Inc., Circuit City Purchasing Company, LLC, CC Aviation, LLC, CC Distribution Company of Virginia, Inc., Circuit City Properties, LLC, Kinzer Technology, LLC, Abbott Advertising Agency, Inc., Patapsco Designs, Inc., Sky Venture Corp, Prahs, Inc., XSStuff, LLC, Mayland MN, LLC, Courchevel, LLC, Orbyx Electronics, LLC, and Circuit City Stores PR, LLC.

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

among other things, that the claims specifically identified on Exhibit A attached to the Objection be reclassified and/or disallowed for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that no response was timely filed or properly served by the Claimant being affected by this Order; and it appearing that the relief requested on the Objection is in the best interest of the Liquidating Trust, the Debtors' estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. The Objection is SUSTAINED.
2. The Workers' Compensation Claim identified on Exhibit A as attached hereto and incorporated herein is forever disallowed in its entirety for all purposes in these bankruptcy cases.
3. The CRP Claim identified on Exhibit A as attached hereto and incorporated herein is reclassified in its entirety as a general unsecured claim for all purposes in these bankruptcy cases.
4. The STIP Claim identified on Exhibit A as attached hereto and incorporated herein is forever disallowed in its entirety for all purposes in these bankruptcy cases.

5. The LTIP Claim identified on Exhibit A as attached hereto and incorporated herein is forever disallowed in its entirety for all purposes in these bankruptcy cases.

6. The Liquidating Trust's rights to object to any claim including (without limitation) the Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.

7. The Liquidating Trust shall serve a copy of this Order on the Claimant included on the exhibits to this Order on or before five (5) business days from the entry of this Order.

8. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia
_____, 2013

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

TAVENNER & BERAN, PLC

/s/ Lynn L. Tavenner

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CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner

Lynn L. Tavenner

In re Circuit City Stores, Inc, et al.

Case No. 08-35653

(KRH)

EXHIBITA

Date Filed	Claim Number	Claimant Name and Address	Claim Amount as filed
2/2/2009	11102	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	Unliquidated
2/2/2009	11103	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	\$10,950 (priority) \$29,050 (general unsecured)
2/2/2009	11104	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	\$10,950 (priority) \$34,675 (general unsecured)
2/2/2009	11105	Ball, Dirley L. 14029 Rockbasket Place Chester, VA 23836	\$10,950 (priority) Unliquidated (general unsecured)